

Remarks

Entry of this amendment for the purposes of presenting the claims in condition for allowance or appeal is respectively requested. The only amendments presented above are those suggested by the Examiner to overcome outstanding rejections under 35 U.S.C. § 112(b).

Regarding the continued rejection of the claim based on Koerner '339, it is again pointed out that that reference totally fails, either at column 1, lines 28-58, column 6, lines 19-32, or wherever, to disclose or suggest the concept of calculating a time at which a vehicle will have sufficiently travelled after exiting from a detection area so as to have substantially no influence on the period of the oscillator signal, and at that time producing a sample measurement which is used to adjust a reference value. This concept as recited in claims 1-13 is even more allowable over Koerner when it is also recognized that Koerner absolutely and totally fails to determine such a time after vehicle exit based on the earlier determined speed of the vehicle.

Reconsideration of the rejection based on Koerner is, therefore, mandated.

Claims 2-4, while also maintained to be allowable, based on the allowability of claim 1 upon which they depend, are further submitted to be allowable based on the specific recitations therein which pertain to the calculation of vehicle speed as a prerequisite to the calculation of a time after vehicle exit, etc.

The claims also stand rejected under 35 U.S.C. § 102(b) based on Alexander (GB 2,066,539), and it is equally asserted that that document totally fails to disclose or suggest the presently claimed method of adjustment of a reference value based on a measurement value obtained at a given time after the vehicle has been determined to have left a detection area, and, particularly, as is also here claimed, where that given time is determined from the just measured speed of the vehicle.

It is respectfully submitted that Figures 1-3 and

columns 2-4 of Alexander simply do not show any such concept.

The Examiner's assistance in further explaining how Alexander is purposed to show such a concept, whether in Figs. 1-3 and column 2-4, or wherever, is respectfully requested.

The further rejection of claims 2-13 is likewise respectfully requested, again as Alexander so totally fails to obtain a measurement a given time after vehicle exit, and to use a measurement taken at that time to adjust the reference value.

Again returning to the rejection based on Koerner '229, with reference to columns 7 and 14 thereof, the discussion thereat of a historical reference is still respectfully submitted to not suggest or in any way obviate the present claims.

As set forth in column 14, lines 36 ff, the historical reference value stored in register H is nowhere suggested to be modified in response to a measurement taken a given time after it has been determined that a vehicle has exited and travelled a sufficient distance to have no effect on the oscillator signal.

Reconsideration and allowance of the claims as here amended, and particularly in view of the above remarks, is respectfully requested and will entail no appreciable effect or further search by the Examiner.

Respectfully submitted,

June 30, 1993
Date

William B. Barte
William B. Barte
Registration No. 25,446

3M Office of Intellectual Property Counsel
P.O. Box 33427
St. Paul, Minnesota 55133-3427
Telephone: (612) 733-4395